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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: OLAF HOFFMANN, RUDOLF MERZ, CHRISTIAN NESS  
and REINHARD PACK

Filed: March 5, 1996

Examiner: Hung S. Bui

Serial No.: 08/913,184

Art Unit: 2841

For: COMMUNICATIONS AND MEASUREMENT APPARATUS

Mail Stop Petition  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 17, 2004

Petition to Revive an Unintentionally Abandoned  
Application Pursuant to 37 CFR 1.137

Dear Sir:

Applicants hereby petition the Commissioner under 37 C.F.R. 1.137(b) for the revival of subject application which was abandoned for failure to timely respond to the Office letter mailed on December 17, 2003.

Applicants hereby state the delay in responding to the Office letter was unintentional because Applicants' attorney did not receive the Office letter mailed on December 17, 2003.

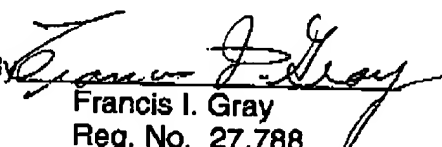
Enclosed is a Fee Transmittal authorizing deduction of fee from Deposit Account. Please fax copy of Office letter dated December 17, 2003 to undersigned at 503 627-7119 so Applicants can prepare a reply as required by 37 C.F.R. 1.137 (b)(1).

Respectfully submitted,

OLAF HOFFMANN et al

TEKTRONIX, INC.  
P.O. Box 500 (50-LAW)  
Beaverton, OR 97077  
(503) 627-7261

6335 US

By   
Francis I. Gray  
Reg. No. 27,788  
Attorney for Applicant

PTO/SB/84 (11-03)

Approved for use through 07/31/2008. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
6553 US

First named inventor: OLAF HOFFMANN

Application No.: 08/913,184

Art Unit: 2841

Filed: March 5, 1996

Examiner: Hung S. Bul

Title: COMMUNICATIONS and MEASUREMENT APPARATUS

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OFFICIALAttention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX: (703) 308-6916NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a  
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the  
expiration date of the period set for reply in the Office notice or action plus an extensions of time  
actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

## 1. Petition fee

☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1,330.00 (37 CFR 1.17(m))

## 2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in  
the form of SEE ATTACHED DOCUMENTS (Identify type of reply):

- ☐
- has been filed previously on \_\_\_\_\_
- 
- ☒
- is enclosed herewith.

B. The issue fee and publication fee (if required) of \$ \_\_\_\_\_

- ☐
- has been paid previously on \_\_\_\_\_
- 
- ☐
- is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the  
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete,  
including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments  
on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent  
and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS  
ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/84 (08-03)

Approved for use 07/31/2006, OMB 0651-0031

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

## 3. Terminal disclaimer with disclaimer fee

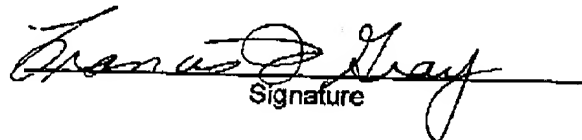
- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/83).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

August 17, 2004

Date



Signature

Telephone

Number: 503 627-7261

Francis I. Gray, Reg. No. 27,788

Typed or printed name

TEKTRONIX, INC.

Address

P.O. Box 500, MS 50-LAW, Beaverton, Oregon 97077

Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☐ Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

August 17, 2004

Date



Signature

Francis I. Gray

Type or printed name of person signing certificate